

REMARKS**Summary of the Office Action**

In the Office Action, claims 1-5 and 13-16 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,9238,306 to *France*.

Claims 6-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *France* in view of U.S. Patent No. 6,360,167 to *Millington, et al.*

Claim 16 stands objected to due to minor informalities.

Summary of the Response to the Office Action

Applicants amend claim 16 to correct a minor informality. New claims 17 and 18 are added to provide an alternative scope of protection. Accordingly, claims 1-18 are pending for further consideration.

All Subject Matter Complies With 35 U.S.C. § 102

Claims 1-5 and 13-16 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *France*. These rejections are respectfully traversed in view of the following comments.

Claim 1 recites the features of “the updating center module for generating updated navigation information corresponding to the navigation apparatus on the basis of transmitted identifier to output the generated updated navigation information to a delivery base.” Claim 13 recites “[a]n apparatus for distributing updated navigation information which is obtained by updating navigation information for navigation process executed by a navigation apparatus that assist in moving a mobile unit comprising: an acquiring device for acquiring an identifier uniquely associated with the navigation apparatus from the navigation apparatus; a generating device for generating the updated navigation information corresponding to the navigation

apparatus on the basis of the acquired identifier; and an outputting device for outputting the updated navigation information to a delivery base for delivering the generated updated navigation information to the navigation apparatus.” In both claims an updating apparatus receives a request for updated navigation information and then transmits updated navigation information to a delivery base.

In the *France* system, when the user requests GPS data correction from a server (420), a computer program (applet) is sent to the user’s rover computer where it collects data from the rover computer (460) and sends the data back to the server (420), the server (420) and applet communicate until the applet determines what GPS correction files are needed. The applet then downloads these files from other servers on the World Wide Web. Therefore, the server in the *France* system does not generate updated navigation information and then transmit it to a delivery base. See of col. 8, lines 15-52 of *France*.

In view of the above arguments, Applicants respectfully request that the rejection of independent claims 1 and 13 under 35 U.S.C. § 102(b) be withdrawn. Additionally, claims 2-4 and 14-16, which depend from independent claims 1 and 13, are allowable at least because its base claim is allowable, as well as for the additional features recited therein.

Moreover, new independent claims 17 and 18 include a feature where an updating center module generates updated navigation information corresponding to a navigation apparatus on the basis of said information about a version of a navigation information. *France* also does not disclose at least these features as recited in 17 and 18. Accordingly, applicants respectfully submit that new claims 17 and 18 are allowable as well.

All Subject Matter Complies With 35 U.S.C. § 103(a)

Claims 6-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *France* in view of U.S. Patent No. 6,360,167 to *Millington, et al.* These rejections are respectfully traversed in view of the following comments.

Millington teaches a navigation system provided with multimedia annotations based upon the present location of the vehicle. These presentations may comprise advertising or text or other information entered by the user and associated with a specific location or locations. The navigation system provides a removable media reader that obtains additional information based upon which a navigation system operates. This additional information may include multimedia annotations that are location-based. The navigation system further includes a wireless communication system that interacts with and provides further location-based multimedia annotations. See Abstract of *Millington*.

Millington does not overcome the deficiencies of *France* as described above. Namely, *Millington* does not teach or suggest an updating center module like apparatus that receives a request for updated navigation information and then transmits updated navigation information to a delivery base, as claimed in independent claim 1. Contrary to the Office Action's statement that the programming base 50 of *Millington* is a delivery base, there is no updating center module that transmits navigation information to the so-called delivery base (programming base 50). See Fig. 1 of *Millington*. Further, *Millington* fails to disclose "at least one of history information indicative of a history of the navigation process executed by the navigation apparatus," as recited in dependent claim 6. Accordingly, claims 6-12, which depend from independent claim 1, are allowable for the same reasons above-mentioned.

In view of the above arguments, Applicants respectfully request that the rejection of independent claims 6-12 under 35 U.S.C. § 103(a) be withdrawn.

Applicants respectfully request entry of an amendment to dependent claim 16 to correct a grammatical error.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

Date: September 30, 2003

Customer No. 009629

MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel.: (202) 739-3000

MJB/DEC/fdb